

REMARKS

I. Claim Status

Claims 1-8 and 10 are currently pending. Claims 9 and 11-15 have been withdrawn from consideration.

II. Restriction Requirement

The Examiner required restriction under 35 U.S.C. § 121 between the following groups.

Group I: claims 1-13 are drawn to a method for the treatment of physical dependence and/or more withdrawal symptoms caused by the discontinuation of the use of at least one psychostimulant agent in a mammal, which comprises administering to the mammal an effective amount of a selective alpha-2-adrenoceptor antagonist.

Group II: claim 14 is drawn to a method for the prevention of relapse after withdrawal from the use of at least one psychostimulant agent in a mammal, which comprises administering to the mammal an effective amount of a selective alpha-2-adrenoceptor antagonist.

Group III: claim 15 is drawn to a method for the treatment of physical dependence and/or more withdrawal symptoms caused by the discontinuation of the use of at least one compound that enhances dopamine release and/or inhibits dopamine uptake from the synaptic cleft in the central nervous system, which comprises administering to the mammal an effective amount of a selective alpha-2-adrenoceptor antagonist.

Applicants provisionally elect Group I to prosecute with traverse. Applicants assert that the present claims meet the unity of invention requirements under PCT Rule 13.1. As evidence of such unity, Applicants point out that Box IV of the PCT Written Opinion dated January 26, 2004, for the international application PCT/FI03/00240, was not checked, indicating that the PCT claims complied with Rule 13.1. Furthermore, the Examiner states that a special technical feature, required to show unity of invention, “should be considered with respect to novelty and inventive step.” Restriction Requirement at 4. The Examiner indicates that the present technical feature is the method for the treatment of drug abuse using an alpha-2-adrenoceptor antagonist, and the Examiner concludes that that technical feature is already present in the prior art. *Id.* (citing WO 2001/055132 to Seiler. Applicants respectfully submit that the Examiner has misunderstood the Unity of Invention requirement under Rule 13.1 and chosen a special technical feature that is not, in fact, the actual special technical feature of the present claims. Furthermore, the Examiner appears instead to be making an unwarranted novelty rejection.

Applicants assert that the special technical feature of the present invention is the treatment of physical dependence and/or one or more withdrawal symptoms caused by the discontinuation of the use of at least one psychostimulant agent, and not drug abuse, in general, as the Examiner suggests. Because of each of the three groups above possesses this special technical feature, which is novel and unobvious over the prior art,¹ the restriction is improper and should be withdrawn.

¹ Applicants will reserve their comments regarding the novelty and patentability of the present claims until a formal 102/103(a) rejection is made of record.

III. Election of Species

The Examiner requires Applicants to elect various species outline on pages 5 and 6 of the Restriction Requirement, depending on the group elected above. Although Applicants respectfully traverse the requirement that an election be made, Applicants provisionally elect to prosecute the following:

1) Type of treat: Applicants provisionally elect to prosecute the treatment of withdrawal symptoms. At least claims 1-8 and 10 read on this species.

2) Psychostimulant agent: Applicants provisionally elect to prosecute amphetamine. At least claims 1-8 and 10 read on this species.

3) Alpha-2-adrenoceptor antagonist: Applicants provisional elect to prosecute atipamezole. At least claims 1-8 and 10 read on this species. Furthermore, Applicants provisionally elect that additional antidepressants, antipsychotics, or anxiolytic agents will not be included in the method of treatment.

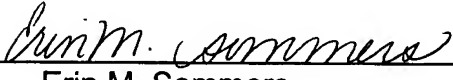
In view of the foregoing remarks, Applicants respectfully request reconsideration of this application, withdrawal of the restriction requirement, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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